



## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or any original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **MID-INFRARED LASER DIODE WITH PHASE MATCHING GRATING**

the specification of which



is attached hereto.



was filed on \_\_\_\_\_ as

United States Application Number \_\_\_\_\_

or PCT International Application Number \_\_\_\_\_

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the invention was not published in an application filed before my invention, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

#### Prior Foreign Application(s):

APPLICATION NUMBER	COUNTRY (OR INDICATE IF PCT)	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> No <input type="checkbox"/> Yes

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

APPLICATION NUMBER	FILING DATE
60/449,766	February 24, 2003

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE	STATUS (ISSUED, PENDING, ABANDONED)

I hereby appoint IRELL & MANELLA LLP, a firm including: Rey Barcelo, Reg. No. 42,290; Norman E. Brunell, Reg. No. 26,533; Gary Frischling, Reg. No. 35,515; Joshua Harrison, Reg. No. 45,686; Benjamin Hattenbach, Reg. No. 41,820; Andrei Iancu, Reg. No. 41,862; Jonathan Lindsay, Reg. No. 45,810; Samuel K. Lu, Reg. No. 40,707; Mark Niu, Reg. No. 52,075; Kimberley G. Nobles, Reg. No. 38,255; Lisa Partain, Reg. No. 40,763; Babak Redjaian, Reg. No. 42,096; Flavio Rose, Reg. No. 40,791; Sharon Wong, Reg. No. 37,760; and Ben J. Yorks, Reg. No. 33,609; my attorneys; with offices located at 840 Newport Center Drive, Suite 400, Newport Beach, California 92660, telephone (949) 760-0991, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full Name of First Inventor:**

(given name, middle initial, family name)

Jeffrey E. Ungar

Inventor's Signature

Jeffrey E. Ungar

Date

2/18/04

Residence

Valley Village, California  
(City, State)

Citizenship

USA  
(Country)

P.O. Address

5506 Bluebell Avenue  
Valley Village, California 91607

**Full Name of Second Inventor:**

(given name, middle initial, family name)

Robert M. Lammert

Inventor's Signature

Robert M. Lammert

Date

2/18/04

Residence

Monrovia, California  
(City, State)

Citizenship

USA  
(Country)

P.O. Address

517 Valmont Drive  
Monrovia, CA 91016